

State of California  
AIR RESOURCES BOARD

Component Executive Order C-U-05-015  
Kelch – A Division of Bemis Manufacturing - Fuel Tank

WHEREAS, Pursuant to California Health and Safety Code sections 39600, 39601 and 43013, the California Air Resources Board (ARB) has established a certification process for evaporative emission system components designed to control gasoline emissions from small off-road engines, as described in Title 13 California Code of Regulations (13 CCR), section 2767.1;

WHEREAS, Pursuant to California Health and Safety Code, section 43013, ARB has established criteria and test procedures for determining the compliance of evaporative emission system components with the design requirements in 13 CCR, section 2754;

WHEREAS, Pursuant to 13 CCR, section 2767.1, the ARB Executive Officer may issue an Executive Order if she determines that the small off-road engine evaporative emission system component conforms to the applicable performance requirements set forth in 13 CCR, section 2754;

WHEREAS, Pursuant to Health and Safety Code sections 39515 and 39516, the ARB Executive Officer issued Executive Order G-05-008 delegating to the Chief of the ARB Monitoring and Laboratory Division the authority to certify small off-road engine evaporative system components; and

NOW, THEREFORE, I, William V. Loscutt, Chief of the Monitoring and Laboratory Division, find that the Kelch – A Division of Bemis Manufacturing 3.2 gallon Xenoy fuel tank conforms with the permeation performance requirement of 1.5 grams ROG/m<sup>2</sup>/day set forth in the 13 CCR, section 2754 when tested at a constant temperature of 40 °C pursuant to TP-901 using an approved test fuel of ARB Phase II certification fuel.

IT IS ORDERED AND RESOLVED that the Kelch – A Division of Bemis Manufacturing 3.2 gallon Xenoy fuel tank is certified for use in small off-road equipment.

IT IS FURTHER ORDERED that Kelch – A Division of Bemis Manufacturing shall provide a warranty to equipment manufacturers purchasing their 3.2 gallon Xenoy fuel tank. The warranty must conform to the requirements of 13 CCR, section 2760.

IT IS FURTHER ORDERED that the certified fuel tank shall be installed in accordance with the manufacturer's installation and use instructions for the tank. A copy of this Executive Order and fuel tank installation and use instructions shall be provided to manufacturers purchasing fuel tanks for installation on small off-road engines and equipment introduced into commerce in California.

IT IS FURTHER ORDERED that the Kelch – A Division of Bemis Manufacturing 3.2 gallon Xenoy fuel tank shall be clearly identified by a permanent identification that

allows the ARB to identify manufacturer's name, executive order number, and model number.

IT IS FURTHER ORDERED that any alteration to the fuel tank certified hereby is prohibited. Any alteration or modification of the design approved by this Executive Order will require the manufacturer to apply for a new Executive Order.

IT IS FURTHER ORDERED that the Kelch – A Division of Bemis Manufacturing 3.2 gallon Xenoy fuel tank shall be compatible with fuels in common use in California at the time of certification and any modifications to comply with future California fuel requirements shall be approved in writing by the Executive Officer or Executive Officer's delegate.

IT IS FURTHER ORDERED that the component certification of the Kelch – A Division of Bemis Manufacturing 3.2 gallon Xenoy fuel tank can be referenced in certification applications for small off-road engines and equipment that use small off-road engines unless the Executive Officer finds that the Kelch – A Division of Bemis Manufacturing 3.2 gallon Xenoy fuel tank no longer meets the performance requirements set forth in 13 CCR, 2754 when tested pursuant to 13 CCR, 2765.

Executed at Sacramento, California, this 2<sup>nd</sup> day of February, 2006.

  
William V. Loscutt, Chief  
Monitoring and Laboratory Division